

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC-SDNY
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DATE FILED: 2/11/20

THE UNITED STATES OF AMERICA *ex rel.*
BENJAMIN J. ASHMORE, SR.

Plaintiff,

v.

CGI GROUP, INC., *et al.*,

Defendants.

15-CV-4277 (RA)

ORDER

RONNIE ABRAMS, United States District Judge:

On December 10, 2019, this Court granted Plaintiff's counsel's request to withdraw and stayed the proceedings for sixty (60) days to allow Plaintiff to find new counsel. Dkt. 63. The deadline for Plaintiff to find new counsel expired on February 8, 2020. The Court is in receipt of Defendants CGI Inc. and CGI Federal Inc.'s February 10, 2020 letter requesting dismissal of this action without prejudice in light of the fact that a litigant may not pursue a *qui tam* action under the False Claims Act without representation by legal counsel. Dkt. 71; *see also U.S. ex rel. Mergent Servs. v. Flaherty*, 540 F.3d 89 (2d Cir. 2008) (affirming dismissal of *qui tam* complaint by pro se plaintiff).

The Court is also in receipt of a letter from Plaintiff, emailed directly to Chambers, explaining that Plaintiff mistakenly believed the stay expired on February 15, 2020. As an initial matter, Plaintiff is reminded that pursuant to Rule 1(A) of the Court's Special Rules & Practices in Civil *Pro Se* Cases, he must not send any communications directly to Chambers. Those rules are available at <https://nysd.uscourts.gov/hon-ronnie-abrams>. If Plaintiff wishes to participate in electronic case filing ("ECF"), he must file a Motion for Permission for Electronic Case Filing, available at <https://nysd.uscourts.gov/sites/default/files/2019-04/2012-prosemotionecffiling-final.pdf>. He is also advised that if he seeks to file any documents under seal, he must provide

sufficient information to allow the Court to find that the “presumption of [public] access [is] overcome” and make “specific, on-the-record findings that higher values necessitate a narrowly tailored sealing.” *Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110, 126 (2d Cir. 2006).

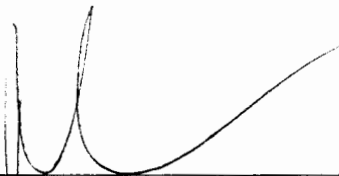
Finally, the Court will grant a final extension of the stay until March 11, 2020, to allow Plaintiff to find new counsel. If Plaintiff does not find new counsel that enters an appearance by March 11, 2020, this action may be dismissed pursuant to Federal Rule of Civil Procedure 41(b). Rule 41(b) of the Federal Rules of Civil Procedure provides that a district court may dismiss an action if “the plaintiff fails to prosecute or otherwise comply with [the] rules or a court order.” Fed. R. Civ. P. 41(b).

The Clerk of Court is respectfully directed to mail a copy of this Order to Plaintiff at the following address:

Benjamin J. Ashmore, Sr.
70 Alder Drive
Ramsey, NY 07466

SO ORDERED.

Dated: February 11, 2020
New York, New York



Hon. Ronnie Abrams
United States District Judge